

Please amend the specification by amending page 4, line 8 as follows:

Page 4. Cleanout Optional Mechanisms

In the Drawings:

Please replace the paragraph starting on page 5, line 6 with the following paragraph:

The cleanout cover ~~mechanism~~ 12 is best when the two diameters (i.e. the barrel outer diameter, and the cleanout cover inner diameter) have sufficient room to move, and allow for a sealing device on each end. This will also leave some room for the contents of the paintball to accumulate. In the preferred form the two diameters leave a slight gap of roughly 0.01", and uses o-rings to seal the cover. These o-rings should be sized as to allow the cleanout cover 12 to move with a very slight ~~resistant~~ resistance. The ~~open cleaning~~ position 15 of the cleanout cover ~~15~~ 12 should allow the slots to be completely exposed.

Applicant argues that a figure change is no longer necessary, because the specification has been corrected and the figures no longer contain a conflict.

R E M A R K S

~~OA page 2 #1 a new title has replaced the previous title.~~

~~OA page 2 #2 The section describing the figures has been amended~~

~~OA page 2 #3 the figures include 12 and 15 and show different cover positions that are now better described in the "DRAWINGS—Reference Numerals" section that has been added by this amendment. No replacement sheets have been proposed at this time.~~

~~OA page 3 #4 The claims have been restructured to what the applicant believes is an appropriate form.~~

~~OA page 3 #5 and #6 Provided above are a) slot Location, b) slot dimensions, and c) the number of them equal spaced about the barrel. This combination should supply enough information about the preferred embodiment to be considered "enabling." The sizing was determined by use of imperial methods and has been further established by reviews of users in actual game play.~~

~~OA page 4 #7 The prior references regarding sound pressure levels being reduced is in comparison to having openings without covers in a standard barrel, or when compared to Havlock. One skilled in the art would have knowledge that a gun without a barrel is far louder than a gun that has periodic holes that distribution of gas exhausted down the length of a barrel. It would then follow that the sound pressure level of this invention will be greater than that and with the cover installed be returned to that standard barrel sound level.~~

~~OA page 4 #8, #9, #10, #11, and #12 the Inventor believes the changes made to the claims and specification resolves the issue.~~

~~OA page 5 #13 and 14 Havlock has been added to the prior art section of the specification by the amendments included here within. It should be noted that Havlock is a barrel made with rods, and Goepfert's invention is limited to slots or openings within a standard gun barrel itself. Agreed the problem is the same, but the inventor believes the method of correcting same is different. Havlock's openings are effectively the entire length of their barrel. The inventor's is a standard barrel modification, and has a much more stable and less effected by change in path that is associated by Havlock's design. Goepfert believes that his invention is still worthy of a patent even in light of Havlock and the problems it leaves unanswered.
—continued on page 8—~~

~~OA page 5 ##15 and 16 Cossio the device described by Cossio is intended to protect the public from misfiring before and after the actual game play. It is a safety device. As noted in the following paragraph it has an open end (receiving the end of the barrel) and a closed end. A closed end at the end of the barrel can have no other purpose but to rupture paint balls in the event of a misfire. Hence the title "Barrel Blocking Device", it is not intended to block gases or to block the material of a ruptured paintball in normal game play.~~

~~"A blocking device is provided for a firearm barrel. The blocking device has a cover member, which may be substantially moisture-proof and may be embroidered, embossed, or silk-screened. The cover member has a closed end and an open end, the open end receiving an end of the barrel. A retaining device is affixed to the cover member and reasonably holds the end of the barrel in the closed end of the cover member."~~ taken from the Abstract of Cossio 2003005614.

~~Goepfert's cover is intended to replace the outside barrel and cover the slots so that a modified barrel can function normally. This is hardly the intent of Cossio's cover design.~~

CONCLUSION

~~For all the above reasons, Applicant submits that the specification and claims are now in proper form, and that the claim defines patentable subject matter. Therefore Applicant submits that this application is now in condition for allowance, which action Applicant respectfully solicits.~~

~~In the event that the changes made do not satisfy the issues, the applicant requests an interview with the examiner to demonstrate the invention and answer any questions they might have about~~

Applicant has carefully considered the above identified Office Action, and in response thereto is addressing each issue raised by the examiner in the remarks hereinbelow. In this regard, applicant is canceling without prejudice claims 1 - 24; and adding claims 25 - 44.

In the Specification

Applicant has amended the title, provided a "brief" Description of the Drawings and added a title for the Discussion of Prior Art section.

In the Drawings

The specification has been amended, such that amended figures are not needed.

Claim Objections

Applicant has canceled claims 1 - 4, therefore examiner's claim objections are moot. Applicant has added claims 5 - 24, which are presented in proper form.

Election/Restrictions

Applicant has canceled without prejudice claims 5 - 24 and replaced them with claims 25 - 44. The method claim language has been removed from claims 25 - 44.

Claim Rejections 35 USC 112

Applicant has canceled claims 1 - 4, therefore examiner's claim rejections under 35 USC 112 are moot.

Claim Rejection 35 USC 102

Applicant has canceled claims 1 - 4, therefore examiner's claim rejections under 35 USC 102 are moot.

Claim Rejection 35 USC 103

Applicant has canceled claims 1 - 4, therefore examiner's claim rejections under 35 USC 103 are moot. However, applicant would like to point out that the Cossio '073 patent discloses a device that is used to prevent a paintball gun from firing a paintball. The cleanout cover is retained on the barrel during firing of the paintball gun. Claims 25, 32 and 39 recite the cleanout cover being in a firing position. Cossio would not allow a paintball to be fired from a paintball gun. Therefore, examiner cannot combine the Havlock '752 patent and the Cossio patent to reject the combination of at least one cleanout opening and at least one cleanout cover.

C O N C L U S I O N

It is respectfully submitted that applicant has responded in a fully satisfactory manner to all matters at issue in this application, and this application is now in condition for allowance. In this regard, applicant has made every effort to comply with the requirements set forth in this Office Action as well as statutory requirements. Accordingly, applicant respectfully requests that the Examiner enter this amendment, allow the claims, and pass this application on to issue.

Respectfully submitted,



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